

City Council Agenda

Council President
Jerry Duncan

Councilmembers

Tom Boyajian
Brian Calhoun, Ph.D.
Mike Dages

City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch, CMC

Henry T. Perea – Acting President
Cynthia Sterling
Larry Westerlund

Interim City Attorney
James C. Sanchez

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

May 2, 2006

If you would like to speak fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on (www.ci.fresno.ca.us). The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. and re-played beginning at 8:00 p.m.

8:30 A.M. ROLL CALL

Invocation by Pastor Lee Cruise of the First Congregational Church

Pledge of Allegiance to the Flag

Ceremonial Presentations:

Presentation of SPCA Pet of the Month – Councilmember Sterling

Proclamation of "PEACE OFFICERS' MEMORIAL DAY" – Acting President Perea

Proclamation of "WATER AWARENESS MONTH" – Mayor Autry and Councilmember Westerlund

Proclamation of "TEEN PREGNANCY PREVENTION MONTH" – Councilmember Sterling

EOC Sanctuary Safe Place Youth Service Recognition to the Dept. of Transportation/Fresno Area Express

MADD Central Valley Chapter Presentation to the Police Department For Their Outstanding Contribution to MADD's Mission – Acting President Perea

Presentation of a Resolution of Commendation to the Central Printing Division of the General Services Department for Their Bronze Award in the In-Print 2006 National Printing Contest – Mayor's Office and City Manager's Office

Council action on unscheduled items if any shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council there will first be a staff presentation followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve minutes of April 25, 2006

Action Taken:

Councilmember Reports and Comments

Action Taken

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1. **CONSENT CALENDAR**

(All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 10:30 a.m.

A. Approve appointment of Albert Salazar to the West Area Committee – Councilmember Sterling

Action Taken:

B. Approve: (1) acceptance of Mercury Air Centers' surrender of part of its leasehold at Fresno Yosemite International (FYI); and (2) lease of that Mercury-surrendered property to Burgundy Partners, LLC with an obligation to develop it; and (3) acceptance of Burgundy's surrender of its current FYI leasehold after development the surrendered Mercury Property; and (4) lease of Burgundy's then surrendered property to Mercury, accomplishing a phased swap of properties between Mercury and Burgundy; and (5) approve a 19-year extension of another Mercury lease of FYI property – Airports Dept.

Action Taken:

C. Approve the acceptance of an early release from the lease between Marion Lawton and the City of Fresno at Fresno Chandler Executive Airport – Airports Dept.

Action Taken:

D. Adopt Resolution of Intention No. 1050-D to vacate a portion of the intersection of W. Bellaire Avenue and N. Milburn Avenue and setting the public hearing for May 23, 2006 at 10:15 a.m. **(Property located in District 1)** – Public Works Dept.

Action Taken:

E. Approve revised Three-Year Underground Utility District Plan – Public Works Dept.

Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- F. * Approve the acquisition of a street easement at 2047 N. Polk Avenue from property currently located in the unincorporated area owned by Billy L. and Sandy Pierce – Public Works Dept.
Action Taken:
- G. * Award a contract for the purchase and installation of a new raw sewage pump at the Fresno / Clovis Regional Wastewater Reclamation Facility Headworks (RWRF) – Dept. of Public Utilities
Action Taken:
- H. Authorize the Department of Transportation/FAX to apply for Local Transportation Fund (LTF) and State Transit Assistance (STA) for Fiscal Year 2006 – Fresno Area Express
Action Taken:
- I. **RESOLUTION** – Approving the Final Map of Tract No. 5338 and accepting dedicated public uses therein and authorize the Public Works Director, the Public utilities Director and the Planning and Development Director to execute the necessary documents – Planning and Development Dept.
Action Taken:
- J. **RESOLUTION** - Of intention to annex Final Tract No. 5530 to the City of Fresno Community Facilities District No. 11, Annexation No. 6 and setting the hearing for May 23, 2006, at 10:40 a.m.#1 – Public Works Dept.
Action Taken:
- K. **RESOLUTION** - Of intention to annex Final Tract No. 5352 to the City of Fresno Community Facilities District No. 11, Annexation No. 3, and setting the hearing for May 23, 2006, at 10:40 a.m.#2 – Public Works Dept.
Action Taken:
- L. * **BILL NO. B-52 – (Intro. 4/25/2006) (For adoption)** – Amending Section 10-1021 of the Fresno Municipal Code relating to use of streets for habitation prohibited, amending Section 10-310 relating to the removal of vehicles from streets and amending Section 10-1005 relating to use of streets for storage of vehicles prohibited – Public Works Dept.
Action Taken:

2. **CITY COUNCIL**

3 **CLOSED SESSION**

- A. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9, Subdivision (b)
Significant Exposure to Litigation:
1. COF v. M.J. Menefee Construction, Inc. and Great American Insurance Company
Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS

- 9:00 A.M. A. **SCHEDULED COMMUNICATION** –
- B. **UNSCHEDULED COMMUNICATION** – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date.

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

9:15 A.M. GENERAL ADMINISTRATION

- A. * Authorize negotiation and entry of a non-professional services agreement with the local 1-800-GOT-JUNK Franchisee for an interim three-month pilot program to gather data and information on a potential alternative method for delivering Operation Clean Up service – Dept. of Public Utilities

Action Taken:

9:30 A.M. Consideration of current noise ordinance and direction to staff regarding extending hours allowing higher decibel limits for the downtown area- Acting President Perea

Action Taken:

10:00 A.M. HEARING to consider Rezone Application No. R-05-67, and environmental findings, filed by subdivider Hansen Edenbridge, Inc., and property owners David P. and Frances Valenzuela and Joseph and Delia Garcia, pertaining to approximately 9.5 acres of property located on the west side of North Polk Avenue between West Shields and West Dakota Avenues (3201 North Polk Avenue) **(Property located in District 1)** – Planning and Development Dept.

Action Taken:

- a. Consider and adopt Environmental Assessment No. R-05-67/T-5537/C-05-195, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan

Action Taken:

- b. **BILL** – Amending the Official Zone Map to rezone the subject property from the RR (*Rural Residential*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district

Action Taken:

10:15 A.M. HEARING to consider Rezone Application No. R-05-62, and environmental findings, filed by DeYoung Properties, pertaining to approximately 9.91 net acres of property located on the northeast corner of the intersection of East Teague and North Chestnut Avenues **(Property located in District 6)** – Planning and Development Dept.

Action Taken:

- a. Consider and adopt Environmental Assessment No. R-05-62/T-5553, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan

Action Taken:

- b. **BILL** – Amending the Official Zone Map to rezone the subject property from the R-A/UGM (*Single Family Residential Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district

Action Taken:

10:30 A.M.#1 CONTINUED HEARING to consider adoption of a resolution designating of the Peach Avenue USDA Horticultural Field Station Historic District located at 2021 S. Peach Avenue to the Local Register of Historic Resources **(Property located in District 5)** - Planning and Development Dept. & PR&CS **(Refer back to staff)**

Action Taken:

10:30 A.M.#2 CONTESTED CONSENT CALENDAR

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

10:30 A.M.#3 JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of April 25, 2006

Action Taken:

- A. Consider Approval of and Authorization for the Executive Director to Execute a Professional Services Agreement between the Redevelopment Agency and Tri City Engineering for the preparation of plans and related documents for the reconstruction of Golden State Boulevard between Ashlan and Shaw Avenues located within the Freeway 99 - Golden State Corridor Redevelopment Project Area **(Property located in District 1) (Agency action)**

Action Taken:

ADJOURN AGENCY

SCHEDULED COUNCIL HEARINGS AND MATTERS

May	3 -	3:00 P.M.	(Wednesday) Presentation of Employee Service Awards Certificates (Council Chambers) (Reception immediately following – 2 nd floor foyer)
May	9 -	10:00 A.M.	Report to Council from Fresno's Chaffee Zoo Corporation on the status of the zoo transition – City Manager's Office
May	9 -	2:15 P.M.	WORKSHOP to discuss whether the City Manager and Redevelopment Agency Executive Director should issue a joint Request For Proposal to hire a professional services firm to perform an analysis with recommendations of the Redevelopment Agency and Economic Development Department to include best practices and project-specific evaluations - Councilmember Calhoun and Acting President Perea
May	16 -	10:00 A.M.	Presentation of the Hope IV Villages of California by Debra Moore of the Housing Authority
May	16 -	10:15 A.M.	HEARING re: Community Facilities District No. 11, Annexation No. 7, Tract No. 5406
May	23 -	10:00 A.M. #2	HEARING re: Community Facilities District No. 2, Annexation No. 118, Tract No. 5326
May	23 -	10:00 A.M. #3	HEARING re: Community Facilities District No. 2, Annexation No. 119, Final Tract Maps No. 5374 and 5313 (District 5)
May	23 -	10:15 A.M.	HEARING To consider the adoption of a resolution vacating a portion of the intersection of W. Bellaire Avenue and N. Milburn Avenue (Located in District No. 1)
May	23 -	10:30 A.M.	HEARING re: Community Facilities District No. 11, Annexation No. 5, Tract No. 5283
May	23 -	10:40 A.M.#1	HEARING re: Community Facilities District No. 11, Annexation No. 3, Tract No. 5352
May	23 -	10:40 A.M.#2	HEARING re: Community Facilities District No. 11, Annexation No. 3, Tract No. 5530
May	23 -	10:45 A.M.	HEARING re: adoption of resolutions amending the schedule of costs and fees related to the Storm Drainage master Plan – Public Works Dept.
May	23 -	2:30 P.M.#1	RESOLUTION - Of intention to annex Final Tract No. 5530 to the City of Fresno Community Facilities District No. 11, Annexation No. 6
May	23 -	2:35 P.M.	Consider the acquisition of parcels encompassing 22,374 square feet at the Northeast Corner of Divisadero and Glenn Avenues for the Development of a Community Youth Center for the Parks, Recreation and Community Services Department and environmental findings.
May.	30 -	NO MEETING – MEMORIAL DAY	
June	6 -	NO MEETING – ELECTION DAY	
June	13 -	10:00 A.M.	CONTINUED HEARING to consider Rezone Application No. R-05-61, filed by Centex Homes on behalf of Damrong and Somluck Pattanumotana and Ahmed Khaled
June	13 -	10:15 A.M.	HEARING re: Community Facilities District No. 2, Annexation No. 121, Tract No. 5300
July	4 -	NO MEETING – COUNCIL VACATION	
July	11 -	NO MEETING – COUNCIL VACATION	

FY 2006-2007 BUDGET HEARINGS – TO BE ANNOUNCED

